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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on April 30, 2002.

David H. Brinkman, Reg. No. 40,532

4/30/02  
Date

RECEIVED  
MAY 14 2002  
TC 1700 PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 09/800,792  
Confirm. No.: 5511  
Filed: March 7, 2001  
Art Unit: 1722  
Examiner: Unknown  
Applicant: John C. Evans  
Title: **IMPROVED COTTON CANDY MARKETING AND  
PACKAGING SYSTEM AND RELATED PRODUCT**  
Our Ref. No.: GME-138

COPY OF PAPERS  
ORIGINALLY FILED

Cincinnati, Ohio 45202

April 30, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

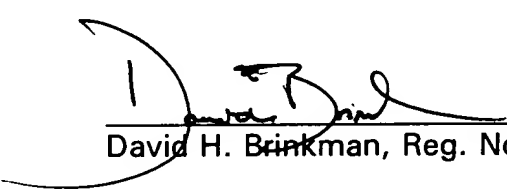
**STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL  
BECAUSE OF ACTUAL INFRINGEMENT**

I, David H. Brinkman, Wood, Herron & Evans, L.L.P., 2700 Carew Tower, 441 Vine Street, Cincinnati, Ohio 45202, Reg. No. 40,532, (513) 241-2324, am an attorney of record in the above-referenced application and make the following statements in support of the accompanying Petition to Make Special:

There is an infringing product actually on the market. A rigid comparison of the alleged infringing product with the claims of the above-referenced application has been made, and that, in my opinion, some of the claims are unquestionably infringed.

I have caused to be made a careful and thorough search of the prior art and a copy of each reference located during that search is enclosed herewith to supplement the Information Disclosure Statement mailed on May 9, 2001.

I believe all the claims in this application as on file are allowable.



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David H. Brinkman, Reg. No. 40,532



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**PETITION TO MAKE SPECIAL  
BECAUSE OF ACTUAL INFRINGEMENT**

Applicant hereby petitions to make the above-referenced application special because of actual infringement.

Accompanying this petition is a Statement by Attorney in Support of  
Petition to Make Special Because of Actual Infringement.

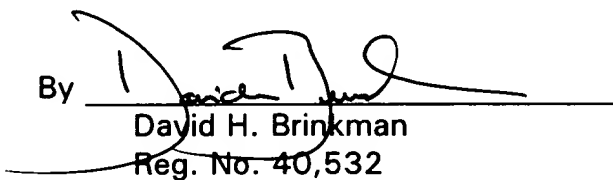
Applicant respectfully requests that this Petition be granted. Enclosed is a check in the amount of \$130.00 for the fee required by 37 CFR § 1.17(h). Should any additional fees or surcharges be deemed necessary, the Examiner has authorization to charge fees or credit any overpayment to Deposit Account No. 23-3000.

The Examiner is invited to telephone the undersigned attorney if there are any questions or if additional information is required.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By



David H. Brinkman  
Reg. No. 40,532

2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202  
(513) 241-2324 (office)  
(513) 421-7269 (facsimile)